

MAY 19 2005

PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number	09/700,328
Filing Date	February 8, 2001
First Named Inventor	Gervas et al.
Art Unit	1831
Examiner Name	M. Born
Attorney Docket Number	ACG2AUSA

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD  <input type="checkbox"/> Remarks _____  <div align="center">Customer No. 00270</div>	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 2 pp. Letter with 2 Exhibits
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWSON AND HOWSON		
Signature	<i>Mary E. Bak</i>		
Printed name	Mary E. Bak		
Date	<i>May 19, 2005</i>	Reg. No.	31,215

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Kelly A. Karstaedt</i>		
Typed or printed name	Kelly A. Karstaedt	Date	<i>May 19, 2005</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ACG2AUSA

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/700,329 Confirmation No.: 4824  
Applicant : Gevas et al.  
Filed : February 8, 2001  
TC/A.U. : 1631  
Examiner : M. Borin  
Customer No. : 00270  
Title : PREVENTION AND TREATMENT OF  
HYPERGASTRINEMIA

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER**

Sir:

This paper is being filed to resubmit a timely filed Petition for Extension of Time for the above-identified application. The facts regarding the filing of this paper are the following.

(i) On April 21, 2004, Applicant timely filed a Petition for Extension of Time (Exhibit A) to extend the time for response to the Office Action dated December 23, 2003 for one (1) month from March 23, 2004 to April 23, 2004. A copy of the stamped postcard, noting receipt of the Petition for Extension of Time and required fee by the US Patent and Trademark Office (USPTO) on April 23, 2004, is enclosed herewith as Exhibit B.

## Certificate Under 37 CFR § 1.8

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on May 19, 2005

by Kelly A. Karstacch

Signature

Kelly A. Karstacch

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(ii) A Response to the Office Action was not filed, but this application was abandoned in favor of a continuation application timely filed on April 21, 2004.

Applicants respectfully request that the Petition for Extension of Time for this application be entered as of the 37 CFR § 1.8 certificate of mailing date of April 21, 2004. Once entered, Applicants also request that the USPTO forward a Notice of Abandonment for this application.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or during the pendency of this application, or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

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Attorneys for Applicants

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